

**CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY**  
**UPDATE TO JUNE 2017 CARPET STEWARDSHIP PROGRAM ENFORCEMENT PLAN**  
**INFORMATIONAL ITEM**  
**October 17, 2017**

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**SUMMARY**

CalRecycle presented an Enforcement Plan (attached) on June 20, 2017 on how manufacturers could continue to operate consistent with the Carpet America Recovery Effort (CARE) California Carpet Stewardship Plan (2011-2016) without being subject to penalties for offering carpet for sale in California. The Enforcement Plan provided manufacturers two compliance options (attached). Of 80 manufacturers, 74 chose Option A, to be part of the CARE Plan, and six (6) manufacturers either went out of business or are no longer selling carpet in California.

Since the June 2017 Enforcement Plan was put forth, Assembly Bill (AB) 1158 was signed into law on October 14, 2017. The bill makes changes to the carpet stewardship law that a Stewardship Organization (SO) or manufacturer must consider in the development of a carpet stewardship plan, effective on January 1, 2018. Among other priorities, the bill requires establishment of a formal Advisory Committee and that a manufacturer or SO provide a draft of its carpet stewardship plan to the Advisory Committee 30 days prior to submitting the plan to CalRecycle. A manufacturer or SO must also demonstrate how it addressed the Advisory Committee's recommendations. In addition, the bill's author provided a letter acknowledging that, if signed by the Governor, an extension of the Enforcement Plan would be necessary in order to allow a stewardship organization a reasonable amount of time to incorporate the requirements of AB 1158 into a carpet stewardship plan. Therefore, CalRecycle is extending the deadlines that stewardship plans need to be submitted to the department in order for manufacturers to continue to avoid penalties, in this update to the Enforcement Plan.

No additional action by a carpet manufacturer that previously submitted a compliance option is needed at this time, unless a carpet manufacturer elects to update the compliance option previously submitted. The statements carpet manufacturers submitted in response to the June 30, 2017 notice will remain in effect and will be deemed amended to reflect the extended dates of this revised Enforcement Plan. Except as modified below, the provisions of the June 20, 2017 Enforcement Plan remain in effect.

The June 20, 2017 Enforcement Plan required that a manufacturer acknowledge that CARE or another stewardship organization or individual manufacturer would need to submit a complete carpet stewardship plan to the department by October 19, 2017, in order for the manufacturer to avoid penalties. The October 19, 2017 deadline is extended to March 16, 2018, to allow for incorporation of the provisions of AB 1158. A stewardship organization or the manufacturer will need to meet the following provisions:

For manufacturers to continue to avoid penalties, a stewardship organization or manufacturer submitting a carpet stewardship plan shall:

- Provide a letter to CalRecycle by November 20, 2017, stating it is their intent to submit a carpet stewardship plan that meets all the requirements of AB 1158 and that it will submit its carpet stewardship plan to the department by March 16, 2018.
- If submitting a plan after January 1, 2018, submit its draft carpet stewardship plan to the new (pursuant to AB 1158) Advisory Committee no later than January 8, 2018, and request comments from the Advisory Committee no later than January 31, 2018.

- Prior to submitting a plan, incorporate the Advisory Committee's recommendations or provide a written explanation as to why the recommendations were unable to be incorporated. (PRC § 42972.1(c))
- Submit the carpet stewardship plan to the department no later than March 16, 2018.

Should there be a delay in receiving comments from the Advisory Committee, CalRecycle may extend the deadline to allow thirty days from the time of receiving Advisory Committee comments for the SO to respond to and incorporate those comments as appropriate.

Send written questions to: Kirby Garrett at [CarpetEnforcement@calrecycle.ca.gov](mailto:CarpetEnforcement@calrecycle.ca.gov)